

- (a) receiving a search criterion from a customer for producing search results;
- (b) obtaining and transmitting the search results to the customer; and
- (c) transmitting to the customer an invitation to be included in the target list related to the search criterion.

Figures 10a and 10b of the specification show how this claim may be practiced in one exemplary embodiment. In the example, the customer entered “cars” into the search engine. The search engine returned search results, all relating to cars. In addition to the search results, the system displayed an invitation in the form of a clickable link containing the text, “Click here to sign up for a weekly newsletter about cars.”

Pulliam’s on-line ordering system differs substantially from the claimed invention. Pulliam lists Ford Motor Company as the assignee. Pulliam discloses an on-line ordering system for new automobiles. For instance, the preamble to Pulliam claim 1 states, “An online communication schema for communicating online vehicle orders.” The Pulliam “customer” is engaged already in an on-line ordering and sales transaction with a vendor.

The concept of the present invention of building a “target list of customers” is foreign to the Pulliam disclosure. Pulliam has no need to build a “target list,” since the customer is already placing an order. The Pulliam customer is no longer a “target” for future communications (e.g., advertising) since he or she is already purchasing the vendor’s item, and Pullman discloses no intention on the vendor’s part to solicit future orders.

For these reasons, Pullman lacks any suggestion of the limitation of generating a target list of customers (preamble), and lacks any suggestion of the limitation of transmitting to the customer an invitation to be included in the target list related to the search criterion (limitation 1(c)). The Examiner at page 3 of the Office Action

acknowledges Pulliam does not disclose an invitation to be included in the target list related to the search criteria.

Combining Pulliam with Barrett does not result in the claimed invention. Barrett is concerned with establishing an on-line chat room for users with common interests. See Abstract. If two registered users happen have entered similar query terms in the past, the Barrett system automatically enters both of them into a chat room that is related in some unspecified way to the common query term. See Barrett, 4:20-5:15. The purpose is not commercial, but rather is to promote social interaction. See Barrett, 3:29-32. The users must already be registered for the service (see 4:20-38), and the system initiates the chat via an automatic persistent socket connection (see 5:1-4).

Since the Barrett users are already registered for the service, Barrett (like Pulliam) has no need to build a target list of users. Moreover, Barrett's users are not "customers" in any sense, foreclosing any possibility that Barrett suggests or discloses generating the claimed "target list of customers." Finally, the chat session initiates automatically, not via invitation. For these reasons, Pulliam in view of Barrett does not teach or suggest the invention of claim 1.

Since the asserted combination does not render claim 1 unpatentable for obviousness, dependent claims 2-5 are patentable as well. Here are additional reasons why claims 2-5 are patentable over the asserted combination.

Claim 2 involves a customer accepting the invitation and providing contact information along with his or her acceptance. Since neither Pulliam nor Barrett disclose the claimed invitation, they do not disclose the additional limitations of claim 2. Moreover, neither reference discloses a customer giving contact information while accepting an

invitation. The Examiner cites Pulliam column 6. But this portion of Pulliam instead discloses communications incident to the ordering process, not communications related to accepting an invitation to be included in a target list.

Claims 3-5 involve sending the customer a confirmation request (claim 3), receiving the acceptance of the confirmation request (claim 4) and adding the customer's contact information to the target list related to the keyword (claim 5). The Examiner locates the claimed "confirmation request" by pointing to the system of Pulliam warning the customer of the possibility the vehicle will be sold before the customer's transaction finishes. This is not a request to confirm participation in a target list, but rather is a communication incident to a vehicle ordering process. It is not a confirmation request. Hence, nothing in Pulliam or Barrett discloses or suggests the additional limitations of claims 3-5.

For the foregoing reasons, Applicants respectfully request withdrawal of the rejections and early allowance.

You are authorized to charge any fees to the undersigned's deposit account (#14-1131).

Applicants appreciate the Examiner's attention to this matter.

Respectfully submitted,



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